

From San Francisco
Next mail, July 3
For San Francisco
Wilhelmina, July 3
From Canadian Ports
Next mail, July 11
For Canadian Ports
Next mail, July 20

Honolulu Star-Bulletin

3:30
Edition

Evening Bulletin, Est. 1882, No. 6821
Hawaiian Star, Vol. XXIV, No. 7865

12 PAGES—HONOLULU, TERRITORY OF HAWAII, THURSDAY, JUNE 28, 1917.—12 PAGES

PRICE FIVE CENTS

WORKMEN'S COMPENSATION LAW HELD UNCONSTITUTIONAL

TWO DEFECTS ARE EXPOSED BY ASHFORD

Court Rules That Statute Denies to Injured Employees Right to Trial by Jury

In a decision handed down at 2 o'clock this afternoon by Judge C. W. Ashford of the circuit court the territorial workmen's compensation law is declared unconstitutional.

The decision was brought about by two suits filed in court for damages by J. J. Carroll against the Marconi Wireless Company and Edgar T. Anderson against the Hawaiian Dredging Company, both claiming they were injured while discharging their duties for their employers. They sued under the common law on the ground the workmen's compensation law was unconstitutional. Demurrers were filed by the corporations.

Judge Ashford's decision is on the demurrers, he overruling them, thus holding the law unconstitutional.

Judge Ashford finds the act unconstitutional on two main points, which are the only ones discussed and which are really branches of one main point, which is that the legislation, or the act denies employees injured through the fault of their employers due process of law in respect of (1) the procedure provided for obtaining compensation for such injuries, and (2) the denial of a trial by jury.

The decision on the first point is predicated upon the lack of provision in the statute for notice to the parties of the hearing of claims for compensation by committees of arbitration or by industrial accident boards, as also for lack of like provision for hearings upon applications to modify awards of compensation previously made.

The decision of the second point is predicated upon the guaranty of the right to a jury trial as contained in the territorial constitution.

In part, the latter portion of the decision says: "I do not regard these as being the only points involved, even in view of the decisions of the federal supreme court, but on the contrary there are probably other constitutional defects in the statute which need not be here specifically analyzed, or even pointed out."

"Each and either of the two defects, however, which are here held to mar and blight the statute in question, is sufficient to vitiate the statute as a whole."

"Each is vital and irreparable and renders the entire statute nugatory. With either of these defects existing, there is not enough left on the statute to stand alone, and therefore it must go by the board as a whole. If its conclusions, or either of them, shall be approved in the higher judicial circles to which the matter will probably be carried."

OIL PRICES ADVANCE

(Associated Press by U. S. Naval Communication Service)

SAN FRANCISCO, Cal., June 28.—The Standard Oil has announced that, commencing this morning, the price of all grades of oil will be advanced ten cents a barrel.

At 10 o'clock this morning the local offices of both the Standard Oil and Associated Oil reported that they had received no orders to raise the price of oil, and that they would not do so unless instructed by cable or mail from the mainland.

GENERAL F. S. STRONG SLATED FOR COMMAND OF U. S. TRAINING CAMP?

Pending Permanent Designation of a Successor, General Treat Will Assume Command of Hawaiian Department

Brig-Gen. Frederick S. Strong, commander of the Hawaiian department, who leaves for a new assignment on the mainland on July 5, will probably be given command over one of the training camps that will be put into operation after the draft has gone into effect.

This, at least, is the belief expressed today by the general and other officers at headquarters, though absolutely no word has been received as to any assignments for any of the large group of officers called on Tuesday for duty.

Brig-Gen. Charles G. Treat, commander of the troops at Schofield barracks, will take command of the department, temporarily at least, upon Gen. Strong's departure. He is next general officer in order of seniority.

WHAT HO! BASEBALL WINNING FEMININE FANS IN EUROPE!

Americans Playing Hot Series—Girls at British Base Enthusiastic But Men Prefer Their Football and Cricket

BRITISH BASE OF AMERICAN FLOTILLA, June 28.—A baseball series between rival teams of the American naval flotilla here is in full swing with great interest already manifested among the townspeople. Three diamonds have been laid out and are kept busy and every destroyer in the flotilla has at least one team.

The girls of the town are becoming ardent fans but the men are more lukewarm, expressing the opinion that the American game does not equal either football or cricket.

BASEBALL RESULTS TODAY

NATIONAL LEAGUE
At Brooklyn—Brooklyn 5, Philadelphia 3; Philadelphia 1, Brooklyn 0.
At Pittsburgh—Pittsburgh 6, Cincinnati 2.

At New York—New York 3, Boston 2.
At St. Louis—St. Louis 4, Chicago 1.

AMERICAN LEAGUE
At Chicago—Detroit 1, Chicago 0.
At Philadelphia—Washington 4, Philadelphia 3.
At Cleveland—St. Louis 5, Cleveland 1.

At Boston—Boston 3, New York 2; Boston 5, New York 0.

NATIONAL LEAGUE			
	Won	Lost	Pct.
New York	36	22	.617
Philadelphia	37	23	.617
Chicago	38	21	.651
St. Louis	31	30	.508
Cincinnati	34	26	.563
Boston	25	31	.446
Pittsburgh	20	39	.339

AMERICAN LEAGUE			
	Won	Lost	Pct.
Chicago	42	22	.655
Boston	39	24	.607
New York	35	27	.565
Detroit	30	30	.500
Cleveland	22	33	.402
Washington	25	36	.410
St. Louis	24	38	.387
Philadelphia	26	37	.351

ASK DISCHARGE OF OVERSEER BECAUSE WIFE BOSSES HIM

If your wife is the boss of the family be sure and don't let it be known and be guided by what happened to Charles Bridges, road overseer of Koolauloa.

At the meeting of the board of supervisors this noon a petition signed by nearly every one in the district was filed asking that Bridges be dismissed because his wife controls him and is, therefore, to all purposes and extent, road overseer. The board's action was to charge against Bridges, but this was by far the strangest one which has probably ever been presented to the board.

The petition also asked that he be discharged because he employs his son, who is under age, and also other minors and a brother-in-law, who it was alleged is not capable, and has appropriated grant money for his own use. It was charged.

DANIELS TELLS ANNAPOLIS MEN U. S. IS UNITED

ANNAPOLIS, Md., June 28.—Addressing the graduates of the Naval Academy at the commencement exercises today, Secretary of the Navy Daniels said:

"Those who prophesied that America would not enter the war, or, if it entered, would not prosecute it wholeheartedly, are now repudiated and discredited. The only divided councils have related to the best methods, and the decisions of the president and of Congress are accepted."

The 1100 German officers and sailors interned at Ellis Island are to be removed soon to a camp Hot Springs, N. C.

GUARD MOBILIZATION WAS NOT OPPOSED BY PLANTERS; EXPLICIT DENIAL IS MADE

Explicit denial of statements published this morning that the Hawaiian Sugar Planters' Association has opposed mobilization of the National Guard of Hawaii was made in a written statement this afternoon by E. D. Tenney, vice-president of the association. He declares emphatically that no one of the association nor its representative in Washington has authorized any opposition to the mobilization.

His statement is as follows: "In an article appearing in the Pacific Commercial Advertiser, under date of June 28, in reference to the territorial National Guard, the statement is made that 'the mobilization of the guard has been deferred, if not prevented altogether, by the delegate to Congress and the representative of the Hawaiian Sugar Planters' Association in Washington.' The concluding paragraph of the same article reiterates 'the statement that the move to mobilize 'has been defeated by the representative of the sugar planters in Washington and by the elected delegate to Congress, J. Kuhio Kalanianohe, now said to be on his way home.'"

"Upon behalf of the Hawaiian Sugar Planters' Association, I wish to state that this association has not at any time, through its trustees or through its representative in Washington, authorized any opposition to the mobilization of the National Guard of Hawaii. Prior to the consolidation of the Guard into two regiments, efforts were made by this association, through its representative in Washington, in anticipation of mobilization, to secure transportation upon U. S. Army transports for Filipinos to, in part, replace those who would be called into service. These negotiations were carried on with the knowledge and with the assistance of the Governor of the Territory, and failed because of restrictive federal laws. "The action of the military authorities in consolidating the territorial guard into its present organization, contemplating early mobilization, was unanimously indorsed by the trustees of this association, who looked upon this action as the best solution of the military and food problems confronting the territory."

"E. D. TENNEY,"
"Vice President, Hawaiian Sugar Planters' Association."

A committee of sugar men visited the governor at 2:30 this afternoon and it was understood at the Capitol that it was in connection with the formal denial of any opposition to guard mobilization.

LATE NEWS AT A GLANCE

LONG-RANGE BATTERIES DUELLING ON FRANCO-BELGIAN COAST
BERLIN, Germany, June 28.—Long-range batteries operated by the Germans have been bombarding Dunkirk with visible effect. The Entente batteries responded, bombarding Ostend.

U. S. SERVICE COUNTED IN ON HOMESTEAD RESIDENCE
WASHINGTON, D. C., June 28.—The bill providing that service with their army or navy shall be counted in as equivalent to residence on homesteads passed the house today. It has already been approved in the senate. Homesteaders who join the colors will be counted as fulfilling the residence requirements on their lands.

"FRIGHTFULNESS" RULES GERMANY'S CONDUCT AT SEA
COPENHAGEN, Denmark, June 28.—The Danish steamer *Iskut* was sunk by a submarine outside the prohibited zone without an extension of the submarine, and the crew, taking to boats, had to go 150 miles to land.

LONDON, Eng., June 28.—The steamer *Dempster* Adda was sunk by a submarine on June 15. The submarine fired on a lifeboat filled with members of the crew escaping from their vessel, the shells killing eight.

CONVICTED OF ASSAULT FOR SHOOTING MAN
Waldo E. Cape, an enlisted man, was convicted in Circuit Judge Heen's court today of a charge of assault with a weapon dangerous to life. He will be sentenced Saturday morning. The defendant is alleged to have shot a man named Johnson at Pearl City. He testified he did the shooting in self-defense.

SEEKS TO LEASE TWO HARBOR SITES
At a meeting of the harbor board this afternoon Jack Young of Young Bros. proposed to lease from the territory a 30 by 150-foot space between the navy pier and the old marine railway in place in the present site and another near Pier 12 proposed by the board.

GEORGE M. ROLPH MAY AID HERBERT HOOVER
Cable advices received this afternoon by Castle & Cooke from San Francisco, state that George M. Rolph, general manager of the California-Hawaiian Sugar Refining Company, has been summoned to Washington by Herbert C. Hoover, food controller for the United States government, and will leave tomorrow for the capital. It is believed by sugar men here that Rolph has been summoned to confer with Hoover concerning the production and distribution of sugar in the United States. Mr. Rolph recently published a book on sugar lines and is an authority on this subject.

REFINED SUGAR JUMPS, SAY ADVICES TO FACTORS
Advices received this afternoon by the Sugar Factors, tell of a jump of 25 cents per hundred pounds in the price of refined sugar today. The basis for refined sugar on the Pacific coast, the cable says, is \$7.75 a hundred, and in New York the American Sugar Refining Company and B. H. Howell, Son & Co. have withdrawn from the market, other refiners quoting \$7.75 a hundred pounds.

BLOM RESIGNS CIRCUIT COURT CLERKSHIP
Albin Blom, a clerk in Judge Heen's division of circuit court, this afternoon tendered his resignation to take effect on July 1. He may go into business in Honolulu. Miss Eva Robinson, formerly of the attorney general's office, succeeds Blom.

\$21,000 BID OFFERED FOR PIER NO. 2 BULKHEAD FILL
The Honolulu Construction & Dredging Co. was the only bidder in the harbor board's proposal to fill several thousand yards of material behind the bulkhead at Pier No. 2. Its bid was \$21,000, with a time limit set at 150 days which, it is understood, is considerably higher than the board expected. The bid was opened at 2 o'clock this afternoon at a meeting of the board but no action was taken.

TOURIST HURT ON BOARD SUES WILHELMINA
Miss Catherine R. Dennis, a tourist, filed in federal court this afternoon a libel suit against the steamer *Wilhelmina* in which she seeks to recover alleged damages in the sum of \$6100. Miss Dennis alleges that while en route to Honolulu on the *Wilhelmina* a chair was left in front of her stateroom over which she fell, fracturing her right arm at the wrist. She further claims that, on the night of the accident, there were no lights burning in that part of the ship.

PERSHING DECLARES GERMANY MUST BE BEATEN
PARIS, France, June 28.—In a statement today commending an article by General Petain entitled "Why We Are Fighting," said: "It is beyond reason that anyone knowing the truth should fail to condemn the course pursued by Germany. There must be no peace but lasting peace. The ideals for which the Allies are contending must be held sacred."

"HANDS ACROSS THE SEA" TO BE CLASPED TIGHTER
LONDON, Eng., June 28.—At the suggestion of the United States negotiations have begun to consolidate further the interests of Great Britain and America.

FEW AMERICAN SHELLS LOST IN SUBMARINE RAIDS
LONDON, Eng., June 28.—It is stated officially here today that the losses of shipments of American shells through submarine sinking munit vessels are less than 6 per cent of those shipped since the "ruthless" period began.

HEALTH APPROPRIATIONS UP FOR CONSIDERATION

Discussion of appropriations set aside for the board of health by the recent legislature will be held this afternoon at a meeting called for 3:30 o'clock.

The board will also make awards of contracts for furnishing beef and pork to the Mokai settlement.

Harry W. Neuberger, former Deputy Police Commissioner of New York, was injured in an auto crash.

WHEAT TO BE ABSOLUTELY REGULATED

(Associated Press by U. S. Naval Communication Service)

CHICAGO, Ill., June 28.—It was learned here today that the administration's plans for government food control include absolute control over wheat, prohibiting speculating in this grain entirely, but the plans allow the trading in "futures" of other grains.

Threatens Wilson; Is Sentenced

(Associated Press by U. S. Naval Communication Service)

NEW YORK, N. Y., June 28.—Adolph Swimer, a farm hand, who threatened to kill President Wilson, was today sentenced to a year's imprisonment at Atlanta penitentiary.

U. S. Laborites Won't Accept

(Associated Press by U. S. Naval Communication Service)

WASHINGTON, D. C., June 28.—The American Federation of Labor today declined to take any part in the international trade conference called by Stockholm Socialists and others, to meet in Switzerland in September. In making a formal reply to the invitation, officers of the American federation expressed the belief that the proposed conference is "premature and untimely."

JAPAN INTERESTS IN PACIFIC ARE BEARING FRUIT

(Special Cable to Nippon Jiji)

TOKIO, Japan, June 28.—Minister of Foreign Affairs Motono in a speech in the diet today assured the members that measures have been taken to protect and further Japan's rights and interests in Shantung, China, and the South Seas, and that the measures are bearing fruitful results.

BRITISH PRIZE COURT CONDEMNS MUCH COFFEE

(Associated Press by U. S. Naval Communication Service)

LONDON, Eng., June 28.—Twelve thousand bags of coffee were condemned by the prize court yesterday. The shipment was the property of Aron & Company, New York. The court announced that not a single bona fide purchaser appeared when the consignment was placed on sale.

GRACE LUSK TO FACE CHARGE OF MURDER

(Associated Press by U. S. Naval Communication Service)

WAKESHA, Wisconsin, June 28.—Grace Lusk will have to face trial for her life on the charge of murder. The verdict of the coroner's jury was rendered last evening and it holds her responsible for the death of Mrs. Roberts.

AUSTRIANS RECAPTURE POSITIONS IN TRENTINO

(Associated Press by U. S. Naval Communication Service)

NEW YORK, N. Y., June 28.—London officials report that the enemy had attempted a series of raids north of Rome, to the southeast of Arras, but had been repulsed after some heavy fighting. Five German aeroplanes which attempted to make a reconnaissance were driven off and finally downed by British machines. Two others fell behind the German lines out of control. None of the British plane failed to return to their bases.

German gunners on the Verdun sector were busy attacking the French line near Arcourt with their big guns, but there is no sign of an infantry attack in that vicinity.

The Italians suffered another reverse yesterday when the Austrian artillery by massing guns managed to break their hold upon the positions taken near Mont Ortigara last week. Rome admitted that the Italian troops had been withdrawn to escape from the murderous fire in exposed positions, and Vienna claimed that the Austrians had taken 1800 Italian prisoners.

The Russians continued their offensive south of Tarnopol in Galicia.

Canadians In Dashing Fight Nearing Lens

Under Artillery Protection They Take Suburb Shielding Important Strategic Point

(Associated Press by U. S. Naval Communication Service)

CANADIAN HEADQUARTERS in France, June 28.—Under artillery protection and with an irresistible dash and courage the Canadian troops on the Lens sector today stormed and captured the German positions on the front before Avion, a suburb of Lens.

U. S. TROOPS IN FRANCE MAY BE LINK ON FRONT

(Associated Press by U. S. Naval Communication Service)

WASHINGTON, D. C., June 28.—Forecasting a possible use for the American troops on the French front, it is suggested in official circles here that the men under Gen. Pershing might be a connecting link on the British and French fronts.

ITALIANS LOSING LITTLE SHIPPING BY SUBMARINES

(Associated Press by U. S. Naval Communication Service)

ROME, Italy, June 28.—It is announced officially here that during the past week there has been but one Italian vessel sunk by a submarine out of 528 arrivals and 536 departures.

OGDEN MILLS GIVES HIS PARIS RESIDENCE FOR GEN. PERSHING

(Associated Press by U. S. Naval Communication Service)

PARIS, France, June 28.—Gen. Pershing has moved his headquarters into a house offered by Ogden Mills of New York.

Coppers Off on Weak Market

NEW YORK STOCK MARKET TODAY

	Yesterday	Today
Alaska Gold	106 1/2	107
American Smelter	120 1/2	119 1/2
American Sugar Ref.	123	123 1/2
American Tel. & Tg.	81 1/2	83
Anacosta Copper	100 1/2	100 1/2
Atchafalpa	71	70 1/2
Baldwin Loco.	74 1/2	74 1/2
Bethlehem Steel	142 1/2	142 1/2
Calif. Petroleum	119	119 1/2
Canadian Pacific	158 1/2	159 1/2
C. & M. & St. P. (St. Paul)	76	75 1/2
Colo. Fuel & Iron	52 1/2	53 1/2
Crucible Steel	86 1/2	86 1/2
Erie Common	28 1/2	28 1/2
General Electric	162 1/2	160 1/2
General Motors, New	114	117 1/2
Great Northern Pfd.	107 1/2	108
Inter. Harv. N. J.	44 1/2	45 1/2
Kennecott Copper	44 1/2	45 1/2
Lehigh R. R.	96	92 1/2
New York Central	92	92 1/2
Pennsylvania	53 1/2	53 1/2
Ray Consol.	28 1/2	28 1/2
Reading Common	96	97
Southern Pacific	94 1/2	94 1/2
Studebaker	67 1/2	71 1/2
Texas Oil	208 1/2	211
Union Pacific	138 1/2	137
U. S. Steel	129 1/2	130 1/2
Utah	110	110 1/2
Western Union	93 1/2	92 1/2
Westinghouse	51 1/2	51 1/2

LOBBIES HARD AT WORK UPON CONGRESSMEN

Both Sides Line Up Forces for Fight on Food Control Bill's Drastic Provisions

(Associated Press by U. S. Naval Communication Service)

WASHINGTON, D. C., June 28.—Washington is stirred to the depths by the greatest prohibition fight in the history of national legislation.

The capital city is full of men and women working for or against "dry" measures, the issue having been brought to the fore, overtopping all other legislative action now, by consideration of the food control bill for which the administration is pressing.

Congressmen and other officials, including the president, are flooded with telegrams from various parts of the country, some for and some against the proposed "dry" law.

The farmers interested in the growing of barley want the brewing industry maintained, and say that widespread disaster will follow its abolition.

The unions having to do with the manufacture and handling of spirituous and malt liquors fear that the loss of employment will fall heavily on the working classes and are pulling every wire against the prohibition sections of the food bill.

The distillers and the prohibition forces each has an active lobby here, holding conferences with legislators and members of the administration.

FOOD BILL MUCH CHANGED; WILL NOT BE RUSHED

(Associated Press by U. S. Naval Communication Service)

WASHINGTON, D. C., June 28.—The senate committee on agriculture has virtually redrafted many of the principal provisions of the food control bill which passed the house and has been debated in the senate. Senator Chamberlain gave notice yesterday that he will today move that the measure as prepared by the senate committee be substituted for the draft bill that has been under debate and proceed with all expedition to passage. He believes that this plan will expedite the passage of food control legislation and remove most of the obstacles that have been delaying its passage and prolonging the debate.

Senate leaders admit that the prohibition clauses in the new bill will tend to complicate matters and will preclude its passage before July 1. This new clause provides against the manufacture of intoxicating liquors, but it authorizes the president to permit making of wine if he shall deem this not undesirable. There is also a provision that he may commandeer all distilled liquors listed as in storage in the bonded warehouses. These changes would permit the manufacture of some wines but still prohibit the making of beer and distilled liquors. There is little change in the provision for commandeering distilled liquors. These were adopted by the committee after the house provision had been beaten by a vote of eight to seven.

Among other important changes in the draft made by the committee and contained in the bill which Chamberlain will present are provisions that the government may take over and operate factories, packing houses, iron, copper and lead mines, lumber lands and lumber yards and commander supplies when the army or the navy may have need of them. It is also authorized to buy and to sell for general and civilian uses and purposes foods, feedstuffs and fuel.

The presentation of a substitute bill will mean that the house will have to consider a measure which is in many respects practically new for the substitute bill is far more drastic in many respects and is far broader in its control provisions than anything that the house has considered.

SUGAR JUMPS

SAN FRANCISCO, June 27.—Sugar 96 deg. test, 6.145 cents. Previous quotation, 6.05 cents.